

February 25th, 2016

0005-16 CUP

Dakota Access LLC
800 E Sonterra Boulevard
Suite 400
Houston, TX 78258

Fredrikson & Byron
C/O Lawrence Bender
1133 College Drive
Suite 1000
Bismarck, ND 58501

RE: Build a crude pipeline approximately 1,169 miles long, of which 60 miles will be located within McKenzie County.

This is to inform you that at the February 16, 2016 meeting, the McKenzie County Board of Commissioners approved the request to install a 60 mile transmission line located through McKenzie County, pipeline will originate under the little Missouri River in section 29/30 Township 152N, R 104W and will exit into Dunn County in Section 33, Township 149N, Range 95W.

The following conditions are in effect concerning this permit;

1. The applicant shall obtain a building permit for any proposed structures within the proposed development.
2. The applicant shall not deposit any snow or water onto neighboring properties and dispose of storm water onsite through an approved engineering method. Additionally, the applicant shall design the storm water and culvert system to convey a 25 year event.
3. The applicant shall maintain adequate weed control.
4. The applicant shall maintain adequate garbage control during construction.
5. The applicant shall share all final approvals and continuing approvals/reviews with all County/State/Federal agencies as they are obtained or altered, along with any violations and as it relates to this conditional use approval for the County permit file.
6. The applicant shall continually control dust and tracking during construction and operation on site to not track or create a nuisance to the neighboring property owners and the traveling public.

7. All lighting on site during construction shall be downward facing and shall not glare on adjacent property owners or the public travel ways.
8. The applicant shall reseed the corridor with appropriate grass mixture to minimize erosion and level the pipeline easement area after installation of pipeline.
9. An approved emergency plan should be submitted and updated with the county Emergency Manager and Zoning Enforcement Officer (annually) for this pipeline so that emergency responders understand what is present onsite and the risks that they would face during response to an incident.
10. All above-ground facilities, such as pipe valve stations or electrical and communication buildings shall be painted earth tone colors to better blend in with the surroundings.

Sincerely,



Jennifer Peglau
McKenzie County Planner